

Case Name and No. Brugman 2-2-2-1-2
LUT 2 0078

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD AND APPARATUS FOR TELECOMMUNICATIONS LINK CAPACITY DETERMINATION** the specification of which was filed on September 21, 2001, as application Serial No. 09/960,252.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11/2001

09960252.04402

I hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

Kenneth M. Brown	(Reg. No. 37590)
Donald P. Dinella	(Reg. No. 39961)
Martin I. Finston	(Reg. No. 31613)
Barry H. Freedman	(Reg. No. 26166)
Julio A. Garceran	(Reg. No. 37138)
Jimmy Goo	(Reg. No. 36528)
Stephen M. Gurey	(Reg. No. 27336)
Matthew J. Hodulik	(Reg. No. 36164)
Eugene S. Indyk	(Reg. No. 30711)
Michael B. Johannesen	(Reg. No. 35557)
Irena Lager	(Reg. No. 39260)
John B. MacIntyre	(Reg. No. 41170)
Christopher N. Malvone	(Reg. No. 34866)
John F. McCabe	(Reg. No. 42854)
Gregory J. Murgia	(Reg. No. 41209)
Neil R. Ormos	(Reg. No. 35309)
Eugene J. Rosenthal	(Reg. No. 36658)
Bruce S. Schneider	(Reg. No. 27949)
Ozer M. N. Teitelbaum	(Reg. No. 36698)
Jeffrey M. Weinick	(Reg. No. 36304)

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.

Full name of 1st joint inventor: David L. Brugman

Inventor's
signature

David L. Brugman

Date 3-19-02

Residence: San Clemente, Orange County, California 92673

Citizenship: USA

Post Office Address: 2224 Calle Opalo
San Clemente, CA 92673

Full name of 2nd joint inventor: Donald R. Smiley

Inventor's
signature

Donald R. Smiley

Date

3/27/02

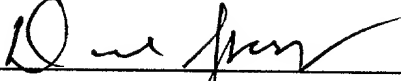
Residence: Naperville, Will County, Illinois 60564

Citizenship: USA

Post Office Address: 2635 Charlestowne Lane
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Full name of 3rd joint inventor: David L. Spaay

Inventor's
signature  Date 3/20/02

Residence: Oswego, Kendall County, Illinois 60543

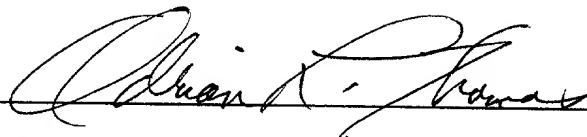
Citizenship: USA

Post Office Address: 121 Tomahawk Trail
Oswego, IL 60543

096033 0440

Full name of 4th joint inventor: Adrian L. Thomas

Inventor's
signature



Date

3/20/02

Residence: Naperville, Will County, Illinois 60564

Citizenship: USA

Post Office Address:

4635 Chokeberry Drive
Naperville, IL 60564

09960252 04102

Full name of 5th joint inventor: Nelson Tom

Inventor's
signature *Tom Nelson* Date 3-14-02

Residence: Plainsboro, Middlesex County, New Jersey 08536

Citizenship: USA

Post Office Address: 7 Krebs Road
Plainsboro, NJ 08536

Daniel E. D'Amato
Notary Public, Middlesex County, NJ
My Commission Expires January 24, 2007
Daniel E. D'Amato

ATTACHMENT A

Attorney Name(s):	Richard J. Minnich	Reg. No.:	24,175
	Joseph D. Dreher	Reg. No.:	37,123
	Patrick D. Floyd	Reg. No.:	39,671
	John P. Cornely	Reg. No.:	41,687

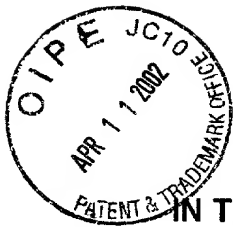
Telephone calls should be made to Fay, Sharpe, Fagan, Minnich & McKee, LLP at:

Phone No.: (216) 861-5582

Fax No.: (216) 241-1666

All written communications are to be addressed to:

Richard J. Minnich, Esq.
Fay, Sharpe, Fagan, Minnich & McKee, LLP
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2518



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : David L. Brugman, et al.

For : METHOD AND APPARATUS FOR
TELECOMMUNICATIONS LINK
CAPACITY DETERMINATION

Serial No. : 09/960,252

Filed : September 21, 2001

Group Art Unit : 2642

Attorney Docket No. : LUT 2 0078
Brugman 2-2-2-1-2

Cleveland, Ohio 44114-2518

POWER OF ATTORNEY AND REVOCATION OF PRIOR POWERS

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

We, David L. Brugman, Donald R. Smiley, David L. Spaay, Adrian L. Thomas and Nelson Tom, joint and named inventors of the above-identified patent application, hereby appoint and revoke as follows:

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked; and,

09960252

NEW POWER OF ATTORNEY

the following attorneys are hereby appointed with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

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Patrick D. Floyd	Reg. No. 39,671
John P. Cornely	Reg. No. 41,687

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David L. Brugman
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Date: 3-19-02

Donald R. Smiley

Date: _____

David L. Spaay

Date: _____

Adrian L. Thomas

Date: _____

Nelson Tom

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Nelson Tom

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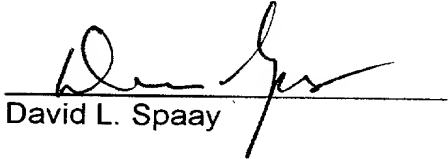
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Date: _____

David L. Spaay

Date: _____

Adrian L. Thomas

Date: _____

Nelson Tom

Nelson Tom

Date: 3-14-02

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Denise E DiTaranto
Notary Public, Morris County, NJ
My Commission Expires January 24, 2007

Denise E DiTaranto